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NOTES OF CASES.

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HOLIDAYS—JUDICIAL PROCEEDINGS.—An indictment found by the grand jury on a holiday is held, in *State v. Thomas* (Ohio), 48 L. R. A. 459, not to be for that reason invalid.

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DE FACTO OFFICERS.—An officer who accepts a second office when he cannot hold both is held, in *Oliver v. Jersey City* (N. J.), 48 L. R. A. 412, to be an officer *de facto* whose acts will be valid as to the public, if he continues to act in his original office.

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INJUNCTION—CRIMINAL PROCEEDINGS.—An injunction against the enforcement of a statute requiring the inspection of beer on the ground that the statute is unconstitutional is denied in *State v. Wood* (Mo.), 48 L. R. A. 596, where the statute is enforceable only by criminal proceedings, since equity has no jurisdiction to enjoin criminal prosecutions. See 5 Va. Law Reg. 821.

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LEGACIES—CONDITION PRECEDENT—DISCRETION OF EXECUTOR.—A condition in a legacy that the legatee's right thereto shall depend upon the decision of the executors at the end of a certain time that he is a reformed man, is sustained in *Re Jones* (Mich.), 48 L. R. A. 580, on the ground that it is sufficiently certain, and that such decision is a condition precedent to his right to the legacy.

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GARNISHMENT OF FOREIGN CORPORATION.—A debt due from an insurance company for loss in another State is held, in *Strause Bros. v. Etna Ins. Co.* (N. C.), 48 L. R. A. 452, not to have any situs in a third State so as to sustain a garnishment there by a creditor of the insured merely because there was an insurance agent in the State on whom process could be served under the State statutes.

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FIRE INSURANCE—PAROL CONTRACT—TERMS OF POLICY.—The right to insurance on property destroyed by fire after an oral contract to insure, but before issuance of a policy, is held, in *Hicks v. British America Assurance Co.* (N. Y.), 48 L. R. A. 424, to be subject to the provisions and conditions of the standard policy prescribed by law, including that as to furnishing proofs of loss within a specified time.

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MUNICIPAL CORPORATIONS—ORDINANCES—SIGNS.—An ordinance making it a penal offense to maintain a sign over a sidewalk is held, in *State v. Higgs* (N. C.), 48 L. R. A. 446, not to be included in the charter power to open streets and keep them free and clear from obstructions, and to be unreasonable, oppressive, and void as applied to a sign which does not impede, delay, obstruct, or in any way endanger the use of the sidewalk.

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AUCTION SALES—"PUFFING."—One who bids at a public sale, not because of any desire to purchase, but merely to run up the price, either in his own interest or that of another, is held, in *McMillan v. Harris* (Ga.), 48 L. R. A. 345, not to